

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor : Nehab et al.
Serial No. : 10/599,541
Filed : 29 September 2006
Art Unit : Unassigned
Confirmation Number : 1526
Examiner : Unassigned
Title : Method and Apparatus for Detecting
Performance, Availability and Content
Deviations in Enterprise Software Applications
Attorney Docket No. : CERT0004

October 23, 2007

**PETITION BASED UPON UNAVAILABILITY OF INVENTOR
(37 CFR § 1.47 / MPEP 409.03)**

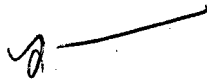
Sir:

1. Applicant petitions pursuant to 37 CFR §1.47 that the examination of the above-identified patent application proceed in the absence of a Declaration signed by the inventor Mr. Ron Wolf.
2. Applicant has tried several times to contact inventor Wolf via his last known phone number. All attempts were unsuccessful as no returned calls were received.
3. Diligent efforts have been used to reach the inventor.
4. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this statement is directed.

5. This action is necessary to prevent irreparable damage and to preserve the rights of the parties.

The Commissioner is authorized to charge the petition fee forth in 37 CFR 1.17 (i), and any additional fees that may be due and credit any overpayments to Glenn Patent Group Deposit Account No. 07-1445, Customer No. 22,862 (Order No. CERT004).

Respectfully submitted,

A handwritten signature in black ink, appearing to be "Michael A. Glenn", written over a horizontal line.

Michael A. Glenn
Reg. No. 30,176

Customer No. 22862